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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

Cheryl Gay Huie Vickery,  
Plaintiff,  
vs.  
Kilolo Kijakazi, Acting  
Commissioner of Social Security,  
Defendant.

} Case No. 1:21-cv-00795-SKO  
} STIPULATION AND ORDER FOR  
} SECOND EXTENSION OF TIME  
(Doc. 19)

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from March 4, 2022, to May 3, 2022, for Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's second request for an extension of time. Good cause exists for this extension. As this Court is well aware, Social Security case filings in federal court increased due to a combination of factors including an increase in

1 appeals council decisions and an increase in hearings at the administrative levels.  
2 Then, as a result of the pandemic, shelter-in-place mandates, and Court ordered  
3 Stays, there were significant delays in producing transcripts. In recent months,  
4 Counsel for the Plaintiff has received a greater-than-usual number of Answers and  
5 Certified Administrative Records from defendant including over 60 cases in  
6 November and December 2021.

7 For the weeks of February 28, 2022 and March 7, 2022, Counsel for Plaintiff  
8 has 14 merit briefs, and several letter briefs and reply briefs. For the remainder of  
9 the month of March 2022, Counsel has over 18 additional merit briefs, in addition  
10 to reply briefs, and EAJA motions. For the month of April 2022, Counsel has over  
11 20 merit briefs currently calendared, with that number expected to grow.

12 Furthermore, Counsel for the Plaintiff has a pre-planned major surgery the  
13 week of March 14, 2022. Lastly, another attorney with the firm, Ms. Dolly  
14 Trompeter, is currently out of state due to her father's medical condition and as a  
15 result, the undersigned has taken on additional matters compounding the need for  
16 an additional extension.

17 Counsel for the Plaintiff does not intend to further delay this matter.  
18 Defendant does not oppose the requested extension. Counsel apologizes to the  
19 Defendant and Court for any inconvenience this may cause.

20  
21 Respectfully submitted,

22 Dated: February 23, 2022 PENA & BROMBERG, ATTORNEYS AT LAW  
23

24 By: */s/ Jonathan Omar Pena*  
25 JONATHAN OMAR PENA  
26 Attorneys for Plaintiff  
27  
28

1 Dated: March 1, 2022

PHILLIP A. TALBERT  
United States Attorney  
PETER K. THOMPSON  
Acting Regional Chief Counsel, Region IX  
Social Security Administration

5  
6 By: \*s/ Frederick Fripps  
7 Frederick Fripps  
8 Special Assistant United States Attorney  
Attorneys for Defendant  
9 (\*As authorized by email on March 1, 2022)

10  
11 **ORDER**  
12

13 Based upon the foregoing stipulation of the parties (Doc. 19), and for good  
14 cause appearing (Fed. R. Civ. P. 16(b)(4)),

15 IT IS HEREBY ORDERED that Plaintiff shall have an extension of time, to  
16 and including May 3, 2022, in which to file Plaintiff's motion for summary  
17 judgment. All other deadlines set forth in the Scheduling Order (Doc. 13) shall be  
18 extended accordingly.

19  
20 IT IS SO ORDERED.

21 Dated: March 3, 2022

/s/ Sheila K. Oberto  
22 UNITED STATES MAGISTRATE JUDGE  
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